



May 14, 2020

VIA FIRST CLASS MAIL AND ELECTRONIC MAIL TO sanga.ravi@epa.gov

Ravi Sanga
Remedial Project Manager
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 900, MS ECL-123
Seattle, WA 98101

**Re: Harbor Island Superfund Site, East Waterway Operable Unit
King County, Washington
Request for Information and Documents
Section 104(e) of CERCLA, 42 U.S.C. § 9604(e)**

Dear Ravi Sanga:

In accordance with your request directed to Glacier Northwest, Inc. ("Respondent"), which was received on March 16th, 2020, the following information is provided. Please note that we object to this request for information as being unlimited in time and scope, vague and ambiguous as geographic areas and otherwise and also on the basis that the request is unduly burdensome and exceeds what is legally permissible and/or required. In particular, Respondent objects to the "subject property" description as being "within one mile of the East Waterway Operable Unit that is currently or was previously owned by Respondent or where Respondent conducts or has conducted any activities or operations" on this basis. While Respondent is not and has not refused to provide information, it is completely undefined as to whether the one mile reference is water, land, or other measurement. Further, it is likely this reference would involve other OUs within the area to which prior 104(e) responses have been provided and would encompass a voluminous and undesirable response for both Respondent and EPA. Glacier has not acquired or begun to operate any new sites within other OUs and thus is providing information only as regards the East Waterway Operable Unit (EWOU).

Without waiving objections, the responses below are preceded with the corresponding Question number.

1. a. Respondent's legal name and mailing address is: Glacier Northwest, Inc., 5975 E. Marginal Way S, Seattle, Washington 98134-2414.

b. The primary individual answering the questions is Deborah Murphey, attorney for Respondent, with mailing address, electronic mail and telephone as follows:

Deborah Murphey
 Senior Counsel
 CalPortland Company
 2025 E. Financial Way
 Glendora, CA 91741
dmurphey@calportland.com
 (626) 852-6293 (phone)

Additional persons are listed if and as appropriate in response to each question.

c. Please provide all future correspondence to:

Deborah Murphey
 Senior Counsel
 CalPortland Company
 2025 E. Financial Way
 Glendora, CA 91741
dmurphey@calportland.com
 (626) 852-6293 (phone)
 (626) 691-2272 (fax)

d. See the above objection. Respondent has been unable to identify any Subject Property within the EWOU that it has owned or had an interest in at any time. Respondent is aware that entities from whom it acquired assets or with names similar to that of Respondent's original name have owned and/or operated a property at 910 SW Spokane St, Seattle, WA 98134. However, to the best of Respondent's knowledge and based on a good faith investigation during and despite the Covid-19 shutdowns, the operations of that entity at the property ceased in or about 1988, prior to the formation of Respondent, and no interest in this property was acquired by Respondent. This information is consistent with the accessible King County tax assessor database records for the EWOU.

- e. Respondent has been unable to identify any Subject Property relevant to this request.
- f. Respondent has been unable to identify any Subject Property relevant to this request.
- g. Respondent has been unable to identify any Subject Property relevant to this request.
- h. Respondent has been unable to identify any Subject Property relevant to this request.
- i. Respondent has been unable to identify any Subject Property relevant to this request.
- j. Respondent has been unable to identify any Subject Property relevant to this request.

- k. Respondent has been unable to identify any Subject Property relevant to this request.
 - l. Respondent has been unable to identify any Subject Property relevant to this request.
 - m. Respondent has been unable to identify any Subject Property relevant to this request.
 - n. Respondent has been unable to identify any Subject Property relevant to this request.
 - o. Respondent has been unable to identify any Subject Property relevant to this request.
 - p. Respondent has been unable to identify any Subject Property relevant to this request.
 - q. Respondent has been unable to identify any Subject Property relevant to this request.
 - r. Neither Respondent nor its parent or affiliates have filed for bankruptcy.
 - s. Respondent has been unable to identify any Subject Property relevant to this request. However, it had employees, now retired, who were able to provide information relating to the Spokane St property mentioned above. Further information on this is provided in response to Question 4.
2. a. Respondent objects to providing income tax documents as no relationship to the EWOU has been established such that the request is an invasion of privacy without basis or proper legal authority. Should an ownership interest in an EWOU property be subsequently discovered, Respondent will reevaluate this objection.
- b. Respondent has not identified a Subject Property and objects to financial information as no relationship to the EWOU has been established such that the request is an invasion of privacy without basis or proper legal authority. Should an ownership interest in an EWOU property be subsequently discovered, Respondent will reevaluate this objection.
- c. i. Respondent's original name was Lone Star Northwest, Inc. Respondent was formed in February of 1991 and changed its name to Glacier Northwest, Inc. in January of 2000. At the time of formation, Respondent is understood to have been 99% owned by Onoda Northwest, Inc. Onoda Northwest, Inc. was merged into Onoda U.S.A., Inc. in 1997 which entity changed its name to Taiheiyo Cement U.S.A., Inc. in 1998. In 2006, CalPortland Company became the sole shareholder of Respondent; CalPortland Company is a subsidiary of Taiheiyo Cement U.S.A., Inc.
- ii. See the response to 2.c.i.
 - iii. See the response to 2.c.i.
 - iv. CalPortland Company and Taiheiyo Cement U.S.A., Inc. both have mailing addresses at 2025 E. Financial Way, Glendora, CA 91741. Respondent objects to providing further information regarding this request as no relationship to the EWOU has been established such that the request

is an invasion of privacy without basis or proper legal authority. Should an ownership interest in an EWOU property be subsequently discovered, Respondent will reevaluate this objection.

v. Respondent has been unable to identify any Subject Property relevant to this request such that no insurance policies are known to have any relevance.

vi. Respondent objects to providing financial information as no relationship to the EWOU has been established such that the request is an invasion of privacy without basis or proper legal authority. Should an ownership interest in an EWOU property be subsequently discovered, Respondent will reevaluate this objection.

3. a. Respondent has been unable to identify any Subject Property relevant to this request such that no insurance policies are known to have any relevance.

b. Not applicable.

c. Not applicable.

d. Not applicable.

e. Not applicable.

f. Respondent objects to this request as no Subject Property or relevant insurance policies have been identified.

g. Respondent objects to this request as no Subject Property or relevant insurance policies have been identified.

4. a. i. Sources reviewed in an effort to respond to the requests include but are not limited to: corporate books and records and corporate histories; Washington Secretary of State corporations database; California Secretary of State businesses database; King County, Washington tax assessor database; EPA Superfund records for the EWOU; EPA Enforcement and Compliance History On-Line; Washington Department of Ecology databases, and the Public Access to Court Electronic Records database.

Persons consulted in providing responses include counsel and current and former employees of the Respondent and its affiliates and others who may have had reason to know of the ownership or operation of the Spokane St property or any other properties within the EWOU. These persons included the following retired personnel previously associated with Respondent: Jim Repman, Ron Summers, Carol Deck, Scott Isaacson and Nadine Heinrich. Additional persons consulted include current outside counsel for Respondent in relation to the Lower Duwamish Superfund, and the Harbor Island superfund PRP small group coordinator. Persons currently employed by Respondent or its parent corporation consulted include: Matt Hinck – Director of Environmental Affairs – Materials Division; Robert Binam – General Counsel; Pete Stoltz – Senior Manager Permitting & Governmental Affairs; William Mullen – Vice President; Annette Tyson – Vice President; Deborah Gall – Paralegal.

ii. Documents reviewed were stored in on-line government databases, at the address of Respondent's correspondent, at Respondent's mailing address, or at 10655 W Park Run Dr, Suite 275, Las Vegas, NV 89144.

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah Murphey", with a long horizontal flourish extending to the right.

Deborah Murphey
Counsel for Glacier Northwest, Inc.

Encl: Declaration for Respondent

E. DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent and that the foregoing is complete, true, and correct.

Executed on May 14, 2020.



Signature

Deborah Murphey

Type or Print Name

Senior Counsel

Title

Mailing Address: CalPortland Company
2025 E. Financial Way
Glendora, CA 91741